

Regular Meeting
City Hall, Marysville, Kansas-October 28, 2019

Members of the Governing Body of the City of Marysville were called to order in regular session at 7:00 p.m. on the date and place noted above with Mayor Grund in the chair. City Administrator St. John and City Clerk Holle were also present.

After the Pledge of Allegiance, roll call was answered by the following council members: Boss, Pippia, Graham, Hughes, Schroller, Throm and Barnes. A quorum was present.

The minutes from the October 14th regular meeting were presented for approval. Mayor Grund presented amendments. CM Frye moved, CM Throm seconded to approve the minutes as amended. Motion carried by 8-0 voice vote.

PUBLIC COMMENTS:

LYNN STOHS 504 S 15TH STREET, WARD 4. Lynn addressed the governing body saying he and other members of Mt. Calvary Lutheran Church, located at 1710 Jenkins, have complained for several years, to the City. The catch basin on the north side of the church parking lot is plugged. CC Holle told him last week, the Water/Sewer Department and Street Department reported they have cleaned the catch basin many times and it plugs because of the many trees on that block. CA St. John will have the Water/Sewer department look at the catch basin again and camera the line, they will also look at the catch basin on 16th and Jenkins. Lynn also said his opinion is city employees should not be trimming trees and bushes on private property, until all City properties are in compliance. Lynn said the city should send letters to citizens to comply with the ordinances and charge the citizens for trimming trees or bushes if they do not comply. CA St. John said he would have the City employees trim the trees and bushes on city property.

BUSINESS AND DISCUSSION ITEMS:

1. **KEATING DRIVE.** PC Ackerman asked the governing body to consider writing a cooperative agreement with the owners of Keating Drive to enable the Police Department to enforce traffic laws on the street. CA St. John will contact the owners to discuss an agreement.

2. **404 S 7th STREET ECONOMIC DEVELOPMENT.** William and Tina Spurgeon are asking for the \$5000 Economic Development Incentive. They are building a new house at 404 S 7th Street and removing a blighted house on that property. CM Frye suggested the alley in the center of Spurgeon's property be vacated if there are no utilities involved, as there is a structure presently located in the alley, then the property could be placed back on the tax rolls. CI Richardson presented pictures of the current house and a map of the property. CI Richardson reported the new house would be appraised at \$35,000 or more and the present house is a blighted structure. William confirmed the family would live in the present house until the new house is completed and then they will demolish the old house. CM Throm moved to approve the \$5,000 Economic Incentive, CM Barnes seconded. Motion carried unanimously. CI Richardson asked the council if the city needed to set a time limit for the demolition of the old house to be completed. CM Frye moved to require the house be demolished 90 days following the closing date of the new house, CM Throm seconded. Motion carried unanimously. The council asked the Economic Development Incentive Applications be revised to include a demolition time frame and be brought to council.

3. **706 N 7TH STREET ECONOMIC DEVELOPMENT.** Loren and Butch (Marj) Gugenhan are asking for the \$1000 Economic Development Incentive. CI Richardson reported they are building a new house on a vacant lot in a qualifying subdivision which will have an appraised value of \$35,000 or more. CM Boss moved to approve the \$1,000 Economic Development Incentive, CM Throm seconded. Motion carried unanimously.
4. **STORM SIREN SOFTWARE UPDATE.** CI Richardson presented a quote for updated storm siren software from Blue Valley Public Safety, Inc. The present software is not compatible with the new computer. The software will come from the General Fund. CM Throm moved to purchase the storm siren software from Blue Valley Public Safety including labor for \$3,057.80, CM Barnes seconded. Motion passed unanimously.
5. **ORDINANCE #1885 TREE HEIGHT.** Ordinance #1885 amending Section 12-707 of the City Code. The Tree Board met and recommended to approve the ordinance as originally written but increasing the height of the distance of the tree from the street to 16 feet. CC Holle presented the ordinance as originally approved in 1995 with an adjustment for height because Section 12-707 of the code was not clear. CI Richardson presented a drawing of an intersection for reference. Mayor Grund said at the Tree Board meeting the term intersection was not defined and where the starting point for measuring should be. CM Frye asked if the obstruction of light was defined at the Tree Board meeting. CC Holle said the Tree Board and the staff attending the meeting were in the opinion this ordinance was concerning the obstruction and site line at the corner. Mayor Grund said the ordinance did not get changed much because there were many inconsistencies in the intersections in the city. Mayor Grund reported Street Supervisor Gundlefinger said he must use common sense when enforcing this ordinance. After much council discussion, the ordinance was amended to read Section (c) Any tree or bush located within 35 feet *of the curb line* of any intersection....CM Throm moved to approve Ordinance #1885 as amended, CM Boss seconded. Roll call vote was a 4-4 tie with CM Pippia, CM Hughes, CM Frye and CM Barnes voting no. Mayor Grund broke the tie with a negative vote. The motion failed. CM Pippia moved to approve Ordinance #1885 amending the tree height to 14 feet from the street. CM Barnes seconded. Motion passed with a 6-2 roll call vote. CM Frye and CM Throm voting no.
6. **ORDINANCE #1886 TREES AND SHRUBS.** Ordinance #1886 amending Section 13-406 of the City Code. The Tree Board met and recommended to increase the height of the distance of the tree from the street to 16 feet. The council took no action.
7. **SEWER LINE 1139 KEYSTONE ROAD.** City Attorney Olsen wrote an Agenda Memo after researching the City's legal obligation to pay for the cost to extend the sewer from the property line of 1139 Keystone Road, which is owned by Dexter Spitsnogle, to the manhole. This property was consent annexed. The existing sewer line is further than 100 feet from the Spitsnogle property. CA Olsen wrote "The language contained in the consent to annexation regarding the sewer does not, in of itself, require the city to pay for the cost to provide this

service. That, of course, does not preclude the city from offering to share in the cost of connecting its sewer line to this property.” The alternatives CA Olsen outlined are as follows:

- a. Pay for the extension of the sewer in its entirety;
- b. Negotiate an arrangement with the property owner to pay a portion of the cost to adequately extend the sewer to the property line;
- c. Reject any financial responsibility for extending the sewer and de-annex the property if property owner refuses to comply with statutory and local sewer requirements;
- d. Create a benefit district under Chapter 12, Article 6a of the Kansas Statutes and assess the property for the cost of extension of the sewer lines.

The Spitsnogle line is about 220 feet from the existing sewer line. CA St. John will check on the cost for the sewer line and bring it to the next meeting.

NOTICES AND HEARINGS

CONSENT AGENDA. The Consent agenda was presented for consideration. CM Thom moved, CM Barnes seconded to approve. Motion carried unanimously. The Consent Agenda consisted of the following:

1. James Gordon & Associates audit letter for audit services for the year ending December 31, 2019.
2. Convention & Tourism requests totaling \$2,000.00: Printing signs, flyers, etc until year-end - \$500.00; Light Up Marysville contest, flyers, promote Christmas activities-\$1,500.00.

APPROPRIATIONS ORDINANCE NO. 3709

1. Claims against the funds of the City were submitted for Council consideration as follows: General Fund, \$64,003.69; Water Revenue Fund, \$57,305.43; Sewage Revenue Fund, \$66,260.81; Sewer Replacement Fund, \$60,038.19; Library Revolving, \$13,585.21; Swim Pool Sales Tax, \$75.78; Koester Block Maintenance, \$1,555.61; Employee Benefit Fund, \$45,749.34; Transient Guest Tax, \$2,019.38; Sales Tax Improvements, \$27,788.82; making a total of \$338,382.26.
2. An appropriations ordinance was introduced and considered to honor claims against the funds of the City as audited by the Finance Committee. CM Thom moved, CM Frye seconded to approve the appropriations ordinance totaling \$338,382.26. Motion to approve the appropriations ordinance carried by 8-0 roll call vote. City Clerk Holle assigned Ordinance No. 3709.

STAFF REPORTS:

CITY ADMINISTRATOR:

1. **2020 WATERLINE PROJECTS.** CA St. John said Water Supervisor Bargman wanted to keep the 5-year timeframe to install the new water meters. Mayor Grund questioned if the technology

on the water meters would last 20 years. CA St. John said the Neptune Company said the meters should still be in service for 20 years. Mayor Grund asked if the City would do both water projects making 1 big project instead of the entire meter project in 2020. CA St. John said it should save the city money to do the water projects as 1 large project. CA St. John will bring the engineering back to the council for the water projects.

2. **LOCATIONS TO PILE SNOW.** CA St. John reported he had researched places to pile snow. Most places suggested by council or places the City has enough acres can only be accessed when the ground is frozen, or the loaded trucks will get stuck. Mayor Grund suggested we ask Schwab Eaton about the run-off from the snow piles at Lakeview Complex. CM Hughes asked if the city had talked to the UP Railroad about piling snow in the old railroad yards as the salt will not damage the railroad yards.
3. **RESIGNATIONS.** CA St. John said the city was advertising for an employee in the Street Department with a CDL. Sam Kracht retired October 18. The City will also be advertising for a police position and a pool manager. David Ohlde, Police Sergeant resigned to take a position at the Kansas Law Enforcement Training Center. David's last day will be November 15. The Parks and Recreation Committee will meet with Kathy Ungerer about managing the Pool again although she has turned in her resignation. They would also like to discuss suggestions about retaining a pool manager for longer than one year.
4. **LANDOLL LIGHTING.** CA St. John said he asked Landoll Corporation to bring more information on the lights they want to install on the lot they rent from the city by the cemetery. Landoll's did not submit any information and CA St. John will contact them again.
5. **ART CENTER WINDOWS.** CA St. John said he spoke with some contractors about refurbishing the windows at the Lee Dam Art Center. The contractors he spoke with said most buildings with refurbished windows are sealed shut so CA St. John would like to install new windows in the Art Center. He is obtaining bids for wood with aluminum clad windows.
6. **CIPP.** Water Supervisor Bargman is working on plans for the Cured In Place Pipe project for 2020.
7. **ACCESS MANAGEMENT PLAN FOR THE INTERSECTION ON 12TH ROAD.** CES Engineer Tony Duever is working on plans for the Access Management at the intersection of 12th Road and Highway 36.
8. **FIRE STATION COSTS.** Mayor Grund asked CA St. John to get costs of fire stations in the surrounding towns. The year the fire station was built, the size of the building and the contractor would be helpful when the city bids the new fire station.

9. **WATER FOUNTAIN AT BRRT HEAD.** CA St. John ordered a water fountain to be installed at the Old Police Station at 617 Broadway. The water fountain is the same as the fountain at City Hall so the parts can interchange. The cost was about \$1000.
10. **DIRT FOR 1006 N 10TH STREET.** Mayor Grund told CA St. John, JoAnn Lacy who lives at 1006 N 10th Street had contacted her. JoAnn said the city had not brought dirt to her property since September 9, 2019. CA St. John said he had pictures showing the city Water Department had taken dirt to the property. CA St. John will follow up with JoAnn.
11. **PLAQUE FOR STENGLEMEIERS AT CEMETERY.** Mayor Grund ask CC Holle to have a plaque made in commemoration of the gift of flags for the center circle at the Marysville Cemetery.
12. **UPDATES AT 617 BROADWAY, BRRT HEAD.** CM Throm reported he had been to the Blue River Rail Trail Head at 617 Broadway. There are outlet covers missing and there should be a lock placed on the furnace room. CA St. John said a motion activated light will also be installed.

CITY CLERK:

1. **DECEMBER COUNCIL MEETINGS.** CC Holle asked the council if the council meeting scheduled for December 23 could be an adjourned meeting to be completed later to include another pay ordinance. Mayor Grund asked the council which date would work for at least 5 council members to be in attendance. Consensus of council was to resume the adjourned meeting on Monday, December 30 at 7:00 p.m. at City Hall.
2. **COUNCIL MEETING TO BE TUESDAY, NOVEMBER 12.** CC Holle reminded everyone the regular council meeting scheduled for November 11 would be moved to Tuesday, November 12. Monday, November 11 is Veteran's Day, a legal holiday for the city.

STANDING COMMITTEE REPORTS:

STREET:

1. **WEBINAR.** Mayor Grund said she saw some of the Street Department listen to the webinar on street life cycles. Mayor Grund reported her take away from the webinar was at the US.Dot website there are life cycle costs for different pavement surfaces based on temperature.

WATER & WASTEWATER:

1. **BORING WATER LINES.** CC Holle reported the minutes from October 14 were incorrect. The water lines that are being bored are located on S 12th Street and Spring Street across from the high school.

PARKS & RECREATION:

1. **DARGATZ PARK.** Mayor Grund said Cemetery and Parks employees, William Brenton and Dan Morley, accompanied her to St. Gregory's Catholic School. William and Dan explained to the 3rd grade students what their job is and how they accomplish it. The students suggested a fence be put around the toddler area in Dargatz Park to keep the children safe. The council will look at the playground area.

POLICE & FIRE:

1. **CONGRATULATIONS DAVID OHLDE.** Mayor Grund congratulated David Ohlde on his new job at the Kansas Law Enforcement Training Center. PC Ackerman came to the podium to address the council. PC Ackerman said the police department has lost 50% of their department in the last 7 months. The Sheriff's department is making \$2.34 more per hour starting pay. PC Ackerman said the low city wages has caused the officers to look for other employment. After November 15, the police department will have only 4 officers who can work alone. PC Ackerman said this is the worst public safety issue the city has had. Mayor Grund said there are 2 decisions to make here: 1) giving raises to the police department is easy, 2) funding the raises is difficult. PC Ackerman said it is a national problem trying to hire police officers. Mayor Grund asked PC Ackerman if the city could reduce the Police department by 1 officer to help fund raises. PC Ackerman said he is not in favor of shrinking the Police Department to fund the raises. Mayor Grund asked if the overtime could be reduced and increase the base wage. There was lots of council discussion about ways to finance raises, the major highways the city is located on and the type of transient employees that work here. The last 2 police officers the city has hired have to be trained so they will not be able to work alone until May or June. PC Ackerman asked what hours he would be expected to work and how he would be compensated. Mayor Grund told PC Ackerman and CA St. John to bring wages and funding suggestions back to the council. PC Ackerman said low wages are a problem in all city departments. CA St. John said he brought raises to the 2020 budget workshop. Mayor Grund said CA St. John has the authority to hire employees within a range according to their qualifications. PC Ackerman said he will have a proposal for Police Department wages in the agenda packet for the next meeting.

ADMINISTRATION AND FINANCE:

1. **K-STATE STUDENT ECONOMIC DEVELOPMENT.** The K-State Students will present their projects on Wednesday, November 6 at City Hall. The city will have a Chamber Mixer at 5:30 p.m. with the students' projects displayed at 6:00 p.m.

2. POLICE VEHICLE RADIO GRANT. CA St. John reported the city had received a 100% grant to purchase 800 band radios for the police vehicles. The grant is \$30,000.

CEMETERY:

1. CM Schroller said it has been discussed previously that the City Cemetery needs a new kiosk to display burial records. CM Schroller said winter would be a good time for the Cemetery department to work on this and asked if Cemetery Sexton Richardson could work on a plan.

ROUND TABLE DISCUSSION:

1. **CIVICS CLASS AT MJHS AND MHS.** CM Boss said November' Civics Day is about volunteerism. Fire Chief Richardson and one of the firefighters will speak to the 9th grade class. CM Boss will suggest students help citizens with yard clean-up.
2. **BLACK SQUIRREL NIGHT.** CM Frye said Black Squirrel Night had great weather.
3. **NATIONAL LEAGUE OF CITIES.** CM Schroller presented information from the National League of Cities she received in an email about financing the fire station at a local bank.
4. **LUMENS ON SIGNS.** CM Throm said he thought the city should write an ordinance concerning the brightness of lighted signs at night. CA St. John said the ordinance would need to be retroactive.

There being no further business, at 10:02 p.m. CM Frye moved to adjourn, CM Hughes seconded. Motion carried unanimously.

Cindy Holle

City Clerk